4.2(123)

General requirements

ALCOHOLIC BEVERAGES DIVISION [185]

Created within the Department of Commerce by 1986 Iowa Acts, Senate File 2175.

Formerly Beer and Liquor Control Department [150]

CHAPTER 1

	ORGANIZATION AND OPERATION
1.1(123,17A)	Purpose
1.2(123,17A)	Scope and rules
1.3(123,17A)	Duties of the division
1.4(123,17A)	Organization
1.5(123,17A)	Central offices
1.6(123,17A)	Matters applicable to all proceedings
	CHAPTER 2
	AGENCY PROCEDURE FOR RULE MAKING
2.1(17A)	Applicability
2.2(17A)	Advice on possible rules before notice of proposed rule adoption
2.3(17A)	Public rule-making docket
2.4(17A)	Notice of proposed rule making
2.5(17A)	Public participation
2.6(17A)	Regulatory analysis
2.7(17A,25B)	Fiscal impact statement
2.8(17A)	Time and manner of rule adoption
2.9(17A)	Variance between adopted rule and published notice of proposed rule adoption
2.10(17A)	Exemptions from public rule-making procedures
2.11(17A)	Concise statement of reasons
2.12(17A)	Contents, style, and form of rule
2.13(17A)	Agency rule-making record
2.14(17A)	Filing of rules
2.15(17A)	Effectiveness of rules prior to publication
2.16(17A)	General statements of policy
2.17(17A)	Review by agency of rules
	CHAPTER 3
	DECLARATORY ORDERS
3.1(17A)	Petition for declaratory order
3.2(17A)	Notice of petition
3.3(17A)	Intervention
3.4(17A)	Briefs
3.5(17A)	Inquiries
3.6(17A)	Service and filing of petitions and other papers
3.7(17A)	Consideration
3.8(17A)	Action on petition
3.9(17A)	Refusal to issue order
3.10(17A)	Contents of declaratory order—effective date
3.11(17A)	Copies of orders
3.12(17A)	Effect of a declaratory order
	CHAPTER 4
	RETAIL ALCOHOL LICENSES—BEER PERMITS—WINE PERMITS
4.1(123)	Definitions

4.3(123)	Local ordinances permitted
4.4(123)	Licensed premises
4.5(123)	Mixed drinks or cocktails not for immediate consumption
4.6(123)	Filling and selling of beer in a container other than the original container
4.7(123)	Improper conduct
4.8(123)	Violation by agent, servant or employee
4.9(123)	Gambling evidence
4.10(123)	Filling and selling of mixed drinks or cocktails in a container other than the
4.10(123)	original container
4.11(123)	Filling and selling of wine and native wine in a container other than the original
7.11(123)	container
4.12(122)	
4.12(123)	Display of license, permit, or signs
4.13(123)	Outdoor service
4.14(123)	Revocation or suspension by local authority
4.15(123)	Suspension of retail alcohol license, wine permit, or beer permit
4.16	Reserved
4.17(123)	Prohibited storage of alcoholic beverages
4.18(123)	Transfer of license or permit to another location
4.19(123)	Execution and levy on alcoholic liquor, wine, and beer
4.20(123)	Class "E" retail alcohol licensee methods of payment accepted
4.21 and 4.22	Reserved
4.23(123)	Liquor on unlicensed places
4.24	Reserved
4.25(123)	Age requirements
4.26(123)	Timely filed status
4.27(123)	Effect of suspension
4.28(123)	Use of establishment during hours alcoholic beverages cannot be consumed
4.29	Reserved
4.30(123)	Persons producing fuel alcohol
4.31	Reserved
4.32(123)	Delivery of alcoholic liquor
4.33	Reserved
4.34(123)	Determination of population
4.35(123)	Minors in licensed establishments
4.36(123)	Sale of alcoholic beverages stock when licensee sells business
4.37 to 4.39	Reserved
4.40(123)	Warehousing of beer and wine
4.41(123)	Vending machines to dispense alcoholic beverages prohibited
	CHAPTER 5
	LICENSE AND PERMIT DIVISION
5.1(123)	Manufacture and sale of native wine
5.2(123)	Production of a native distillery
5.3 to 5.6	Reserved
5.7(123)	Change of ownership of a licensed premises, new license or permit required
5.8(123)	Dramshop liability insurance requirements
5.9(123)	Surety bond requirements
5.7(125)	Survey conditionalisms

CHAPTERS 6 and 7 Reserved

CHAPTER 8

	TRANSPORTATION AND WAREHOUSE
8.1(123)	Definitions
8.2(123)	Listing classifications
8.3(123)	Listing requests
8.4(123)	Shipment of product to the division
8.5(123)	Inventory levels
8.6(123)	Pricing
8.7(123)	Delisting
8.8(123)	Barrel programs
	CHAPTED O
DEDCO	CHAPTER 9
	NAL IMPORTATION OF ALCOHOLIC LIQUOR, WINE, AND BEER
9.1(123)	Tax liability
9.2(123)	Personal importation in excess of the amounts provided—waiver
	CHAPTER 10
	CONTESTED CASES
10.1(17A)	Scope and applicability
10.2(17A)	Definitions
10.3(17A)	Time requirements
10.4(123,17A)	Statute of limitations
10.5(17A)	Requests for a contested case proceeding
10.6(17A)	Notice of hearing
10.7(17A)	Presiding officer
10.8(17A)	Waiver of procedures
10.9(17A)	Telephone proceedings
10.10(17A)	Disqualification
10.11(17A)	Consolidation—severance
10.12(17A)	Pleadings
10.13(17A)	Service and filing of pleadings and other papers
10.14(17A)	Discovery
10.15(17A)	Subpoenas
10.16(17A)	Motions
10.17(17A)	Continuances
40 40 (4 = 1)	

10.23(17A) Ex parte communication 10.24(17A) Recording costs

Withdrawals Intervention

Evidence Default

Hearing procedures

10.25(17A) Interlocutory appeals

10.26(17A) Final decision

10.18(17A)

10.19(17A) 10.20(17A)

10.21(17A)

10.22(17A)

10.27(17A) Appeals and review 10.28(17A) Applications for rehearing

10.28(1/A) Applications for rehearing 10.29(17A) Stays of agency actions

10.30(17A) No factual dispute contested cases 10.31(17A) Emergency adjudicative proceedings

10.32(17A) Informal settlement

CHAPTERS 11 to 13

Reserved

	CHAPTER 14
	PRIVATE WINE SALES
14.1(123)	Wine definition
14.2(123)	Bottle label requirements and registration
14.3	Reserved
14.4(123)	Price postings by all holders of vintner's certificates of compliance
14.5(123)	Price postings
14.6	Reserved
14.7(123)	Supplier discrimination
	CHAPTER 15
	Reserved
	CHAPTER 16
	TRADE PRACTICES
16.1(123)	Definitions
16.2(123)	Product displays
16.3(123)	Retailer advertising utensils, consumer advertising specialties, retailer wearing apparel
16.4	Reserved
16.5(123)	Glassware
16.6(123)	Tapping accessories and coil cleaning service
16.7(123)	Tasting
16.8(123)	Sampling
16.9(123)	Trade spending
16.10(123)	Discounts
16.11(123)	Combination packaging
16.12(123)	Consumer promotions
16.13(123)	Advertising, display or distribution service
16.14(123)	Stocking and product rotation
16.15(123)	Sponsorships and special events
16.16(123)	Participation in educational seminars and retail association activities
16.17	Reserved
16.18(123)	Record keeping
16.19 to 16.39	Reserved
16.40(123)	Equipment, furnishings, fixtures
16.41	Reserved
16.42(123)	Free warehousing prohibited
16.43(123)	Extension of credit and prepaid accounts
16.44(123)	Quota sales
16.45(123)	Tie-in sales
16.46 to 16.59	Reserved
16.60(123)	Contracts to purchase alcoholic liquor, wine, or beer
16.61 to 16.74	Reserved
16.75(123)	Commercial bribery
16.76 to 16.89	Reserved
16.90(123)	Consignment sales
16.91(123)	Return of alcoholic liquor, wine, and beer
16.92 to 16.104	Reserved
16 105(123)	Contested case hurden

CHAPTER 17 Reserved

CHAPTER 18

PUBLIC RECORDS AND FAIR INFORMATION PRACTICES

	(Uniform Rules)
18.1(123,22)	Definitions
18.3(123,22)	Requests for access to records
18.9(123,22)	Disclosures without the consent of the subject
18.10(123,22)	Routine use
18.11(123,22)	Consensual disclosure of confidential records
18.12(123,22)	Release to subject
18.13(123,22)	Availability of records
18.14(123,22)	Personally identifiable information
18.15(123,22)	Other groups of records
18.16(123,22)	Other records
18.17(123,22)	Applicability
	CHAPTER 19
	CHAPTER 19 WAIVERS FROM RULES
19.1(17A)	WAIVERS FROM RULES
19.1(17A) 19.2(17A)	
	WAIVERS FROM RULES Scope
19.2(17A)	WAIVERS FROM RULES Scope Division discretion
19.2(17A) 19.3(17A)	WAIVERS FROM RULES Scope Division discretion Requester's responsibilities
19.2(17A) 19.3(17A) 19.4(17A)	WAIVERS FROM RULES Scope Division discretion Requester's responsibilities Notice
19.2(17A) 19.3(17A) 19.4(17A) 19.5(17A)	WAIVERS FROM RULES Scope Division discretion Requester's responsibilities Notice Division's responsibilities
19.2(17A) 19.3(17A) 19.4(17A) 19.5(17A) 19.6(17A) 19.7(17A)	WAIVERS FROM RULES Scope Division discretion Requester's responsibilities Notice Division's responsibilities Public availability
19.2(17A) 19.3(17A) 19.4(17A) 19.5(17A) 19.6(17A) 19.7(17A)	WAIVERS FROM RULES Scope Division discretion Requester's responsibilities Notice Division's responsibilities Public availability Cancellation
19.2(17A) 19.3(17A) 19.4(17A) 19.5(17A) 19.6(17A) 19.7(17A) 19.8(17A)	WAIVERS FROM RULES Scope Division discretion Requester's responsibilities Notice Division's responsibilities Public availability Cancellation Violations Defense